

### **DETAILED ACTION**

1. This application claims benefit of the foreign applications:  
JAPAN 2003-040154 with a filing date 02/18/2003.
2. Amendment of claims 1-4 and addition of claim 9 in the amendment filed on December 17, 2007 is acknowledged. Claims 1-9 are pending in the application. No new matter has been found. Since the newly added claim 9 is commensurate with the scope of the invention, claims 1-9 are prosecuted in the case.

### ***EXAMINER'S AMENDMENT***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Laura Chung on January 14, 2008. The application has been amended as follows:

Delete claims **5-8**.

### ***Reasons for Allowance***

4. Since the instant variables X1 and X2 of formula (I) independently represents both amino group or  $\text{-COOR}^1$  groups, therefore the instant compounds of formula (I) are distinct from compounds of formula (I) of Arimori et al. US 6,040,415 or Straford et al. US 5,591,882. The rejection of claims 1-4 under 35 U.S.C. 103(a) over Arimori et al.

US 6,040,415 or Straford et al. US 5,591,882 has been overcome in the amendment filed on December 17, 2007.

5. Claims 1-4 and 9 are neither anticipated nor rendered obvious over the art of record, and therefore are allowable. The closest reference is Arimori et al. US 6,040,415, which disclose biocompatible polymers. The difference between the instant claims and Arimori et al. is that the instant compounds of formula (I) has not been found. A suggestion for modification of above reference to obtain the instant compounds of formula (I) has not been found. Claims 1-4 and 9 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rei-tsang Shiao whose telephone number is (571) 272-0707. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph K. McKane can be reached on (571) 272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

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/REI-TSANG SHIAO /

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